

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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LATOSHA MCINTYRE SLACK
CAMPBELL,

Plaintiff,

v.

CLARK COUNTY COURTHOUSE,
Defendants.

Case No. 2:23-cv-00150-APG-EJY

REPORT AND RECOMMENDATION

On January 27, 2023, Plaintiff filed an Initiating Document with the Clerk of Court (ECF No. 1-1). However, Plaintiff did not submit a complaint, did not file a complete application to proceed *in forma pauperis* ("IFP"), and did not pay the filing fee in accordance with 28 U.S.C. § 1915(a)(1) and Nevada U.S. District Court Local Rule LSR 1-1.

On March 1, 2023, the Court issued an Order giving Plaintiff through and including April 1, 2023 to file a complaint on the Court's form and either complete an IFP by a non prisoner or pay the \$402 filing fee for a civil action. ECF No. 3. The Court instructed the Clerk of Court to send Plaintiff the IFP for a non-prisoner. *Id.* The Court explained if Plaintiff failed to comply with the Order, it would recommend dismissal of this action without prejudice. *Id.* at 2. As of the date of this Recommendation, Plaintiff has not complied with the Court's Order.

Therefore, IT IS HEREBY RECOMMENDED that this matter be dismissed without prejudice for failure to comply with the Court's March 1, 2023 Order.

Dated this 10th day April, 2023.


ELAYNA J. YOUCHAK
UNITED STATES MAGISTRATE JUDGE

NOTICE

Pursuant to Local Rule IB 3-2, any objection to this Finding and Recommendation must be in writing and filed with the Clerk of the Court within fourteen (14) days. The Supreme Court has held that the courts of appeal may determine that an appeal has been waived due to the failure to file objections within the specified time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985). This circuit has also held that (1) failure to file objections within the specified time and (2) failure to properly address and brief the objectionable issues waives the right to appeal the District Court's order and/or appeal factual issues from the order of the District Court. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983).